

### **REMARKS**

Claims 1 – 33 remain in this application. The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

The indication that claims 2-16 and 21 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form, and that claims 17-20, 23, 24 and 26-33 are allowed, is appreciated. For the reasons set forth below it is submitted that all claims are in condition for allowance.

The Office Action objects to claims 4 and 16 because of informalities. The Office Action refers to the term “f3” in claim 4 and “ω” in claims 16 and 25. However, it is believed that “f3” needs to be corrected in claims 4 and 25 and “ω” in claim 16, but not in claim 25, since it does not appear in claim 25. Claims 4, 16 and 25 have been amended to address these concerns. The Examiner is invited to contact the undersigned if further correction is needed.

The Office Action rejects claims 1 and 22 under 35 USC 102(e) over Takeuchi et al. (US Pub. 2004/0179275). It is submitted that this rejection should be withdrawn for the reasons set forth below.

Takeuchi et al. has a US filing date of December 24, 2003. Attached hereto is a verified translation of the priority document, JP 2003-101506, filed April 4, 2003. It is submitted that this translation supports at least claims 1 and 22 of the present application

#### **Claim 1**

It is here to be noted that claims 1 and 22, now rejected, are based on, for instance, the following disclosure:

#### **Claim 1**

An image-formation optical system, comprising, in order from an object side thereof, an aperture stop, a first positive meniscus lens convex on its object side, a second positive lens having an aspheric surface, and a third negative lens having an aspheric surface.

Claim 13

The image-formation optical system according to any one of claims 1 to 12, wherein lenses having a refracting power are provided only by three lenses, i.e., the first positive meniscus lens, the second positive lens and the third negative lens.

In addition, please refer to the specification of the translation starting at page 11, line 6 describing the three lenses positive, positive, negative to ensure performance enough to be used with 1,000,000 pixel class digital cameras, and the lens data in Examples 1-5 regarding aspheric surfaces and d7 indicative of an air separation, and Figs. 1-5 that are sectional views of Examples 1-5, for example.

It is submitted that the priority date of April 4, 2003 has been perfected by this filing, and that therefore Takenouchi is not prior art against the application because of Takenouchi's date of December 24, 2003. Withdrawal of the rejection is requested.

Applicants respectfully request a three month Extension of Time to respond to the Final Rejection of August 23, 2005. The extended period expires November 23, 2005.

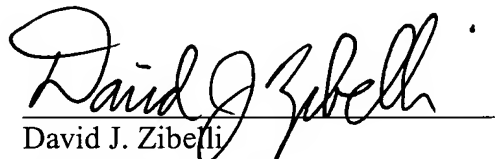
Appl. No. 10/817,174  
Amdt. dated November 9, 2005  
Reply to Final Rejection of August 23, 2005

The Office is hereby authorized to charge the fee of \$1,020.00 for a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) and any additional fees under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON

Dated: November 9, 2005

  
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